

REMARKSI. Introduction

In response to the Office Action dated December 22, 2003, no claims have been cancelled, amended or added. Claims 1-30 remain in the application. Re-examination and re-consideration of the application is requested.

II. Prior Art Rejections

On page (2) of the Office Action, claims 1-30 were rejected under 35 U.S.C. §103(a) as being anticipated by Bark et al., 6,445,917 B1 (Bark) in view of Frlan, U.S. Patent No. 6,047,178 A (Frlan).

Applicants' attorney respectfully traverse this rejections.

Applicants' attorney previously submitted a Declaration under 37 C.F.R. §1.131 by inventor David J.Y. Lee to eliminate as a reference U.S. Patent No. 6,141,565 to Feuerstein et al. This Declaration under 37 C.F.R. §1.131 also eliminates Bark and Frlan as references.

The Declaration under 37 C.F.R. §1.131 stated that Applicants' invention was conceived prior to November 13, 1997, and that development of the invention proceeded on a continuous basis from prior to November 13, 1997, eventually culminating in the filing of the United States Provisional Patent Application No. 60/145,727 on July 27, 1999, and the above-identified United States Utility Patent Application No. 09/625,626 on July 26, 2000.

Note that Bark was filed on May 19, 1999 and Frlan was filed on December 19, 1997. Both of these dates are after the November 13, 1997 date recited in the Declaration under 37 C.F.R. §1.131. Consequently, both Bark and Frlan are eliminated as references by the Declaration under 37 C.F.R. §1.131.

III. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited.

Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.


Respectfully submitted,

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